

BY: Senator Pipkin

AMENDMENTS TO SENATE BILL NO. 790, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

In the Finance Committee Amendments (SB0790/337373/1), in line 2 of Amendment No. 1, strike "penalties".

On page 1 of the bill, in line 19, strike "providing for a certain"; and in the same line, strike the second semicolon and substitute "authorizing the Secretary to make a certain assessment and impose a certain penalty against a certain employer under certain circumstances; providing for a certain appeals process;".

AMENDMENT NO. 2

In the Finance Committee Amendments, in line 10 of Amendment No. 2, strike "(A)"; and strike beginning with "SHALL" in line 11 down through "FAILURE" in line 13.

On page 4 of the bill, strike in their entirety lines 34 through 36, inclusive, and substitute:

"(A) IF AN EMPLOYER FAILS TO SUBMIT THE REPORT REQUIRED UNDER § 8.5-103 OF THIS SUBTITLE, THE SECRETARY MAY MAKE AN ASSESSMENT ON THE BASIS OF ANY INFORMATION THAT THE SECRETARY IS ABLE TO OBTAIN.

(B) IF AN EMPLOYER FAILS TO MAKE A REQUIRED PAYMENT, THE SECRETARY:

(1) MAY ASSESS THE AMOUNT DUE ON THE BASIS OF THE INFORMATION IN THE REPORT WITH AN INTEREST RATE OF 0.5% PER MONTH; AND

(2) MAY IMPOSE A PENALTY OF UP TO 10% OF THE AMOUNT THAT WAS NOT PAID.

(Over)

(C) AN EMPLOYER MAY APPEAL AN ASSESSMENT OR PENALTY IMPOSED BY THE SECRETARY UNDER THIS SECTION TO THE BOARD OF APPEALS IN ACCORDANCE WITH THE PROVISIONS OF SUBTITLE 5 OF THIS TITLE.”.